



**WESTERN STATES LAND  
COMMISSIONERS ASSOCIATION**  
is  
**REQUESTING QUALIFICATIONS**  
For  
**Professional Outreach and Education Services**

**Release Date: February 7, 2012**  
**Deadline for Submission: March 16, 2012**

**REQUEST FOR QUALIFICATIONS NO. 12-001**

**A copy of this Solicitation may be obtained by either of the following methods:**

1. Retrieve this document from WSLCA website at: [www.wslca.org](http://www.wslca.org). **YOU ARE RESPONSIBLE FOR CHECKING THE WEBSITE FOR ANY AMENDMENTS OR ADDENDA.**
2. Email us at [bill.warnick@glo.texas.gov](mailto:bill.warnick@glo.texas.gov) and request that a copy of the Solicitation be forwarded to you. Please include your company name, address, contact name, phone number, fax number, and email address. We will automatically send you any amendments or changes to the Solicitation.

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## **ARTICLE I. EXECUTIVE SUMMARY, DEFINITIONS, AND AUTHORITY**

### **1.1 EXECUTIVE SUMMARY**

The Western States Land Commissioners Association (WSLCA) is requesting Statements of Qualification from entities that will assist in the development of an educational strategy and implement outreach programs to strengthen the awareness of the WSLCA and educate groups, stakeholders, and other governmental agencies regarding WSLCA's positions on policy matters. Provider will also be responsible for reporting back to WSLCA on policy developments that affect WSLCA interests.

WSLCA is an nonprofit organization organized under 26 U.S.C. § 501(c)(3) that provides a forum for State Land Commissioners to cooperate in the common interest of the states they represent to:

- maximize the earnings and preserve the assets of the member states' educational trusts and encourage prudent administration of those trusts;
- acquire and evaluate information regarding public land, water and resource management policies;
- develop prudent public land and water management policies; and
- provide information, education, and assistance concerning the foregoing to the member states and interested parties

WSLCA does not seek lobbying services under this Solicitation. Additional information on WSLCA, and its programs can be found at [www.wslca.org](http://www.wslca.org).

Your Solicitation Response may include information related to the creation of sponsorships or other methods of increasing revenue to WSLCA to enhance its effectiveness.

### **1.2 DEFINITIONS**

“General Work Order” means specific, written authorization to perform the task(s) listed therein.

“Project” means the educational and outreach work that the Provider selected under this Solicitation is to perform.

“Provider” means the Respondent(s) awarded a contract under this Solicitation.

“Respondent” means the entity responding to this Solicitation.

“RFQ” means Request for Qualifications.

“Solicitation” means this RFQ.

“Solicitation Response” means the Respondent's entire response to this Solicitation, including all documents requested in Sections III and V.

“SOQ” means Statement of Qualifications.

“WSLCA” means the Western States Land Commissioners Association.

### **1.3 AUTHORITY**

The WSLCA Executive Committee voted to authorize the issuance of this Solicitation on behalf of its membership on January 12, 2012 at the Winter Conference held in Austin, Texas. The Executive Committee has appointed a subcommittee that is authorized to manage the Solicitation and evaluate the Solicitation Responses.

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## **ARTICLE II. SCOPE OF WORK**

### **2.1 SCOPE OF SERVICES REQUESTED**

Provider will assist WSLCA in developing an educational strategy to strengthen the awareness of the WSLCA and the role and interests of Land Commissioners in the member states. Provider must be familiar with the diverse issues that concern WSLCA members. The successful Respondent will demonstrate knowledge of how the Clean Water Act, the Endangered Species Act, and other legislation impact public lands, state trust lands, and land dedicated to the support of public education. The selected Provider must develop and implement a strategy to educate and inform key decision makers on a national level and express WSLCA's position with regard to the potential impact of Indemnity Selection and other federal legislation on public lands, state trust lands, and land dedicated to the support of public education. Provider will be responsible for reporting the results of its education efforts and update WSLCA of developments at the national level that impact WSLCA interests.

Provider may be asked to assist in the design and implementation of a sponsorship program and other methods of increasing revenue to WSLCA to enhance its effectiveness.

### **2.2 CONTRACT AND TERM**

WSLCA intends to award one or more indefinite quantity contracts for the services requested under this Solicitation. Total compensation under any contract awarded shall not exceed the amount of **THIRTY THOUSAND DOLLARS (\$30,000.00)**, annually. WSLCA reserves the right to modify this amount if additional funds become available. WSLCA also intends to reserve the right to terminate any contract awarded pursuant to this Solicitation for convenience subject to an equitable settlement. Any contract resulting from this Solicitation shall be for a two-year period from the date of contract execution. WSLCA, at its own discretion, may extend any contract awarded pursuant to this Solicitation subject to terms and conditions mutually agreeable to both parties.

### **2.3 CONTRACT MANAGEMENT**

The WSLCA Executive Committee has appointed a subcommittee to solicit, evaluate and administer the proposed professional services contract. The WSLCA Communications Committee may also be involved in establishing the contract deliverables. WSLCA makes no guarantee of volume or usage under any contract resulting from this Solicitation.

### **2.4 WORK ORDER AUTHORIZATION**

During the term of any contract awarded under this Solicitation, WSLCA may request Contractor to perform certain tasks as described above, subject to specific work authorization in the form of a General Work Order (Work Order). All Work Orders shall be in writing, signed by both parties, and shall include a scope of services, a list of tasks to be performed by Contractor, a time schedule, a list of

deliverables if any, and such other information or special conditions as may be necessary for the work requested.

**2.5 COMPLIANCE WITH APPLICABLE LAW**

Provider must comply with all applicable laws, rules, and regulations, including those governing non-profit entities, in performing the services required under this Solicitation. Provider will not perform any service required under this Solicitation in a manner that would result in Provider or WSLCA being in violation of any applicable law, rule, or regulation.

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### **ARTICLE III. ADMINISTRATIVE INFORMATION**

#### **3.1 SCHEDULE OF EVENTS**

<b>EVENT</b>	<b>DATE/TIME</b>
Issue Solicitation	February 7, 2012
Deadline for Submitting Questions	March 2, 2012 at 5:00 PM Central Time
<b>Deadline for submission of Solicitation Responses</b>	<b>MARCH 16, 2012 AT 3:00 PM CENTRAL TIME</b>
Evaluation Period	March 16, 2012 through June 15, 2012
Oral Presentations	July 8, 2012 through July 11, 2012
Selection and Award	July 12, 2012
Contract Negotiation Period	July 12, 2012 through July 27, 2012

**NOTE:** These dates represent a tentative schedule of events. WSLCA reserves the right to modify these dates at any time upon notice posted on the WSLCA website at [www.wslca.org](http://www.wslca.org).

#### **3.2 INQUIRIES**

##### **3.2.1 Contact**

All requests, questions, or other communications about this Solicitation shall be made in writing to the person listed below.

Name	Bill Warnick
Address	P.O. Box 12873
City, State, Zip	Austin, Texas 78711-2873
Phone	(512) 463-6293
Fax	(512) 463-6311
Email	<a href="mailto:bill.warnick@glo.texas.gov">bill.warnick@glo.texas.gov</a>

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### 3.2.2 Clarifications

WSLCA will allow written requests for clarification of this Solicitation. Questions may be faxed or emailed to the point-of-contact listed in section 3.2.1 above. Respondents' names shall be removed from questions in the responses released. Questions shall be submitted in the following format. Submissions that deviate from this format may not be accepted:

Identifying Solicitation number  
Section number  
Paragraph number  
Page number  
Text of passage being questioned  
Question

**NOTE: The deadline for submitting questions is noted in Section 3.1 above. Please provide company name, address, phone number, fax number, email address, and name of contact person when submitting questions.**

### 3.2.3 Responses

All accepted questions will result in written responses with copies posted to the WSLCA website at [www.wslca.org](http://www.wslca.org). If Respondent does not have Internet access, copies may be obtained through the point-of-contact listed in Section 3.2.1 above. It is Respondent's responsibility to check the website for updated Solicitation information and addenda.

## 3.3 SOLICITATION RESPONSE COMPOSITION

### 3.3.1 Generally

Respondent shall submit a Digital Compact Disk with all documents in Portable Document Format (.pdf) with all documents requested in this Solicitation. Failure to meet this condition may result in disqualification of the offer, and the Respondent shall receive no further consideration. Respondent shall prepare a Solicitation Response that clearly and concisely represents its qualifications and capabilities under this Solicitation. Expensive bindings, colored displays, promotional materials, etc., are not necessary or desired. Respondent should focus on the instructions and requirements of the Solicitation.

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### 3.3.2 Solicitation Response Format

For ease of evaluation, the Solicitation Response shall be presented in a format that corresponds to, and references sections outlined within, this Solicitation and shall be presented in the same order. Responses to each section and subsection shall be labeled clearly to indicate the item being addressed. Exceptions to this will be considered during the evaluation process.

### 3.3.3 Page Limit and Supporting Documentation

Solicitation Responses should not exceed 25 pages in length, not including appendices or attachments, and should be formatted as follows: 8 1/2" x 11" pages, 12-pitch font size, and single-sided. If complete responses cannot be provided without referencing supporting documentation, such documentation must be provided with the Solicitation Response, with specific references made to the tab, page, section, and/or paragraph where the supporting information can be found.

### 3.3.4 Narrative/Technical Proposal

Respondent must describe clearly, specifically, and as completely as possible, its proposed methodology for achieving the objectives and requirements of this Solicitation, and in conformance with the general requirements in Section 3.3.1 above. Respondent should identify all tasks to be performed, including project activities, materials, and other products, services, and reports to be generated during the contract period and relate them to the stated purposes and specifications described in this Solicitation.

## 3.4 SOLICITATION RESPONSE SUBMISSION AND DELIVERY

### 3.4.1 Deadline

**Solicitation Responses must be received at the address in Section 3.4.3 and time-stamped no later than as specified in Section 3.1.**

Respondents may submit their Solicitation Responses any time prior to that deadline.

#### NOTE:

**A US Postal Service (USPS) postmark or round validation stamp; a mail receipt with the date of mailing stamped by the USPS; a dated shipping label, invoice, or receipt from a commercial carrier; or any other documentation in lieu of the on-site time stamp WILL NOT be accepted.**

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### 3.4.2 Labeling

Solicitation Responses shall be placed in a sealed envelope or box and clearly labeled as follows:

**RFQ NO:** **12-001**  
**SOLICITATION RESPONSE DEADLINE:** **March 16, 2012**  
**FOR:** **Professional Education and Outreach Services**

WSLCA will not be held responsible for Solicitation Response envelopes mishandled as a result of being improperly prepared. It is Respondent's responsibility to mark appropriately and deliver the Solicitation Response to WSLCA by the specified date and time.

### 3.4.3 Delivery

Respondent must deliver Solicitation Responses by one of the methods below. Facsimile or telephone Proposals will NOT be considered.

<b>U.S. Postal Service</b>	<b>Overnight/Express Mail</b>	<b>Hand Delivery</b>
WSLCA c/o Texas General Land Office Attn: Bill Warnick P.O. Box 12873 Austin, TX 78711	WSLCA c/o Texas General Land Office 1700 North Congress Ave. Stephen F, Austin Bldg., Room 942B Austin, Texas 78701 512-463-6293 Attn: Bill Warnick	WSLCA c/o Texas General Land Office 1700 North Congress Ave. Stephen F, Austin Bldg., Room 942B Austin, Texas 78701

### 3.4.4 Alterations, Modifications, and Withdrawals

Solicitation Responses may be modified, altered, or withdrawn by facsimile or written notice, provided such notice is received prior to the opening of the Solicitation Response.

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**ARTICLE IV. SOLICITATION RESPONSE EVALUATION AND AWARD  
PROCESS**

**4.1 Evaluation Criteria**

**4.1.1 Evaluation Process**

Written proposals will be evaluated by a subcommittee appointed by the WSLCA Executive Committee. Top candidates will then be invited to interview and present a proposal for final consideration and award.

**4.1.2 Minimum Qualifications**

Respondents must meet the minimum qualifications listed below. Furthermore, Solicitation Responses that appear unrealistic in terms of technical commitment, that show a lack of technical competence, or that indicate a failure to comprehend the risk and complexity of a potential contract may be rejected.

4.1.2.1 Respondents must have recently been in business for a minimum of five (5) years, or the principals/owners must have had recent ownership/executive management experience in a previous company that provided governmental affairs educational and advisory services or comparable services;

4.1.2.2 Respondents shall have demonstrated experience in providing comparable services on a national level; and

4.1.2.3 Respondents must be financially solvent and adequately capitalized.

**4.1.3 Specific Criteria**

Solicitation Responses shall be consistently evaluated and scored in accordance with the following criteria:

4.1.3.1 Demonstrated Prior Experience (20%)

4.1.3.2 Strength of Proposed Approach to WSLCA tasks (25%)

4.1.3.3 Demonstrated Knowledge of WSLCA Issues (15%)

4.1.3.4 References (10%)

4.1.3.5 Overall clarity of Solicitation Response (5%)

4.1.3.6 Quality of Oral Presentation (25%)

NOTE:           **In order to clarify any response, the Solicitation evaluation committee may contact references provided in response to this Solicitation, contact Respondent's clients, or solicit information from any available source concerning any aspect of the Solicitation deemed pertinent to the evaluation process.**

**4.2    SHORT LIST**

WSLCA expects to make an initial evaluation of the Solicitation Responses to develop a short list of finalists. However, WSLCA is not obligated to develop this list. If a list is developed, all Respondents will be notified in writing, whether or not they are finalists.

**4.3    ORAL PRESENTATION**

WSLCA expects to hear oral presentation from selected Respondents at its Summer Conference in Eugene, Oregon, July 8, 2012 through July 11, 2012. Respondents will be provided with advance notice of any such oral presentation and are responsible for their own transportation and presentation equipment. Failure to participate in the requested presentation may eliminate a Respondent from further consideration. WSLCA is not responsible for any costs incurred by the Respondent in preparation for the oral presentation.

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## **ARTICLE V. REQUIRED RESPONDENT INFORMATION**

### **5.1 RESPONDENT INFORMATION**

Respondent must provide satisfactory evidence of its ability to manage and coordinate the types of activities described in this Solicitation and to produce the specified products or services on time. Along with the Solicitation Response requested in Article III, Respondent must provide the following information:

#### **5.1.1 Respondent Narrative**

Provide a detailed narrative explaining why Respondent is qualified to provide the services enumerated in Article II, focusing on its company's key strengths and competitive advantages.

#### **5.1.2 Respondent Profile**

Provide Respondent's profile to include:

- Respondent's business organization structure (corporation, partnership, LLC, or sole proprietorship), including any wholly-owned subsidiaries, affiliated companies, or joint ventures. (*Please provide this information in a narrative and as a graphical representation*). If Respondent is an Affiliate of, or has a joint venture or strategic alliance with, another company, please identify the percentage of ownership and the percentage of the parent's ownership. Finally, please provide your proposed operating structure for the services requested under this Solicitation and which entities (i.e. parent company, Affiliate, Joint Venture, subcontractor) will be performing them;
- The year Respondent was founded, incorporated, or began operations. If incorporated, please indicate the state where the company is incorporated and the date of incorporation;
- The location of Respondent's headquarters and any field office(s) that may provide services for any resulting contract under this Solicitation;
- The number of Respondent's employees, both locally and nationally, and the location(s) from which employees may be assigned; and
- The name, address, telephone number, and email address of Respondent's point of contact for any contract resulting from this Solicitation.

### 5.1.3 Key Staffing Profile

Respondent must provide a key staffing profile and resumes for staff that will be responsible for the performance of the services requested under this Solicitation.

## 5.2 REFERENCES

Respondent shall provide a minimum of three (3) references from similar projects performed within the last three (3) years. Respondent must verify current contacts. Information provided shall include:

- Client name;
- Project description;
- Total dollar amount of project;
- Key staff assigned to the referenced project that will be designated for work under this Solicitation; and
- Client project manager name, telephone number, fax number, and email address.

## 5.3 LITIGATION HISTORY

Respondent must include in its Solicitation Response a complete disclosure of any alleged or significant contractual failures. In addition, Respondent must disclose any civil or criminal litigation or investigation pending over the last three (3) years that involves Respondent or in which Respondent has been judged guilty or liable. Failure to comply with the terms of this provision may disqualify any Respondent. Solicitation Response may be rejected based upon Respondent's prior history with WSLCA or with any other party that demonstrates, without limitation, unsatisfactory performance, adversarial or contentious demeanor, or significant failure(s) to meet contractual obligations.

## 5.4 CONFLICTS

Respondent must disclose any potential conflict of interest it may have in providing the services described in this Solicitation, including all existing or prior arrangements. Please include any activities of affiliated or parent organizations and individuals who may be assigned to manage this account.

## 5.5 DUN AND BRADSTREET REPORT

Respondents with a Dun and Bradstreet number must include a Comprehensive Insight Plus Report with their Solicitation Response.

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## 5.6 ANNUAL REPORT

Respondent shall submit an annual report, which must include:

- Last two (2) years of audited financial statements;
- If applicable, last two (2) years of consolidated statements for any holding companies or affiliates;
- An un-audited financial statement of the most recent quarter of operation; and
- A full disclosure of any events, liabilities, or contingent liabilities that could affect Respondent's financial ability to perform this contract.

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## **ARTICLE VII. TERMS, CONDITIONS AND EXCEPTIONS**

### **6.1 GENERAL CONDITIONS**

- 6.1.1 **Amendment.** WSLCA reserves the right to alter, amend, or modify any provision of this Solicitation, or to withdraw this Solicitation, at any time prior to the award, if it is in the best interest of WSLCA.
- 6.1.2 **Informalities.** WSLCA reserves the right to waive minor informalities and irregularities in any Solicitation Response received.
- 6.1.3 **Rejection.** WSLCA reserves the right to reject any or all Solicitation Responses received prior to contract award.
- 6.1.4 **Irregularities.** Any irregularities or lack of clarity in this Solicitation should be brought to the attention of the point-of-contact listed in Section 3.2.1 as soon as possible, so that corrective addenda may be furnished to prospective Respondents.
- 6.1.5 **Offer Period.** Solicitation Responses shall be binding for a period of 120 days after they are opened. Respondents may extend the time for which their Solicitation Response will be honored. Upon contract execution, prices agreed upon by the Respondent(s) are an irrevocable offer for the term of the contract and any contract extension(s). No other costs, rates, or fees shall be payable to the Respondent unless expressly agreed upon in writing by WSLCA.
- 6.1.6 **Contract Responsibility.** WSLCA will look solely to Respondent for the performance of all contractual obligations that may result from an award based on this Solicitation. Respondent shall not be relieved of its obligations for any nonperformance by its subcontractors.
- 6.1.7 **Public Disclosure.** Respondent will not advertise that it is doing business with WSLCA or use a contract resulting from this Solicitation as a marketing or sales tool without prior written consent of WSLCA. Furthermore, Respondent may not distribute or disclose this Solicitation to any other vendors or companies without permission from WSLCA.

### **6.2 INSURANCE**

#### **6.2.1 Required Coverages**

For the duration of any contract resulting from this Solicitation, Respondent shall acquire insurance, bonds, or both, with financially sound and reputable independent insurers, in the type and amount customarily carried within the industry or listed. Work on any contract shall not begin until after Respondent has submitted acceptable evidence of insurance. Failure to maintain insurance coverage or acceptable alternative methods of insurance shall be deemed a breach of contract.

#### 6.2.2 Alternative Insurability

Notwithstanding the preceding, WSLCA reserves the right to consider reasonable alternative methods of insuring the contract in lieu of the insurance policies customarily required. It will be Respondent's responsibility to recommend to WSLCA alternative methods of insuring the contract. Any alternatives proposed by Respondent should be accompanied by a detailed explanation regarding Respondent's inability to obtain the required insurance and/or bonds. WSLCA shall be the sole and final judge as to the adequacy of any substitute form of insurance coverage.

### 6.3 **CONTRACT**

WSLCA reserves the right to negotiate final contract terms with any selected Respondent.

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## **ARTICLE VIII. SUBMISSION CHECKLIST**

This checklist is provided for Respondent's convenience only and identifies documents that must be submitted with this Solicitation in order to be considered responsive. Any Solicitation Responses received without these requisite documents may be deemed non-responsive and may not be considered for contract award.

### **DOCUMENTS TO BE SUBMITTED WITH SOLICITATION RESPONSE**

- |    |  |               |     |
|----|--|---------------|-----|
| 1. | The Solicitation Response in .pdf format |               | ___ |
| 2. | Primary Respondent Information           | (Section 5.1) | ___ |
| 3. | References                               | (Section 5.2) | ___ |
| 4. | Litigation History                       | (Section 5.3) | ___ |
| 5. | Other Documents                          |               |     |
|    | • Dun & Bradstreet Report                | (Section 5.5) | ___ |
|    | • Annual Report                          | (Section 5.6) | ___ |